

REAL ESTATE BOARD
MINUTES OF MEETING

January 28, 2010

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Carol Clarke, Chair
Byrl Taylor, Vice Chair
Clifford L. Wells
Nathaniel Brown
Judith L. Childress
Marjorie Clark
Florence Daniels
Scott Gaeser
Sharon Johnson

DPOR staff present for all or part of the meeting included:

Jay DeBoer, Director
Mark Courtney, Deputy Director
Nick Christner, Deputy Director
Christine Martine, Executive Director
Bonnie Rhea Adams, Director of Complaint Analysis, & Resolution
Liz Hayes, Fair Housing Administrator
Earlyne Perkins, Legal Analyst
Kevin Hoeft, Education Administrator
Emily Trent, Administrative Assistant

Steven Jack and Tom Payne from the Office of the Attorney General were present.

Carol Clarke called the meeting to order at 9:04 A.M.

Call to Order

A motion was made by Ms. Johnson and seconded by Mr. Wells to approve the agenda. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

Agenda

Fitzhugh Odom addressed the Board concerning Real Estate education course approval. No action was taken by the Board.

Public Comment

A motion was made by Mr. Wells and seconded by Ms. Daniels to adopt the following minutes: November 5, 2009, Informal

Minutes

Fact-Finding Conference; November 16, 2009, Informal Fact-Finding Conference; November 18, 2009, Informal Fact-Finding Conference; November 19, 2009, Informal Fact-Finding Conference; November 19, 2009, Real Estate Board Meeting; December 3, 2009, (11:00 A.M.) Informal Fact-Finding Conference; December 3, 2009, Informal Fact-Finding Conference; December 7, 2009, Informal Fact-Finding Conference; December 8, 2009, Informal Fact-Finding Conference; and December 10, 2009, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load.

In the matter of **Corde Belisle v. John Skuro, REB File Number 2009-04418**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. John Skuro, respondent, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Mr. Wells to close the case with a finding of no reasonable cause. The motion passed by majority vote. Members voting "Yes" were Childress, Clarke, Gaeser, Johnson, Taylor and Wells. Members voting "No" were Clark and Daniels. Mr. Brown abstained from voting in the matter.

In the matter of **Victor and Liubov Mercado v. Camelita Dallas, REB File Number 2010-00450**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Mr. Wells and seconded by Ms. Daniels to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **Virginia Real Estate Board v. Regal Real Estate, Inc. and Wilson Fauber, REB File Number 2009-04473**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Mr. Wells and seconded by Ms. Daniels to close the case with a finding of no

**Fair Housing
Administrators
Report**

**Corde Belisle v. John
Skuro, REB File
Number 2009-04418**

**Victor and Liubov
Mercado v. Camelita
Dallas, REB File
Number 2010-00450**

**Conciliation
Agreement**

reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **Larissa Ann Davis (formerly Larissa Ann Wells) and Jaime Davis v. Debra Gantt, REB File Number 2009-00405**, a motion was made by Mr. Gaeser and seconded by Ms. Clark to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

**Conciliation
Agreement**

A motion was made by Ms. Clark and seconded by Mr. Gaeser to approve the Fair Housing Sub-Committee minutes of November 19, 2009. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

**Fair Housing
Minutes**

In the matter of **File Number 2010-02022, Richard Suggs**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Suggs, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Mr. Brown to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Suggs's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

**File Number 2010-
02022, Richard
Suggs**

In the matter of **File Number 2010-02016, Brenda McKinney**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the Board member. Ms. McKinney, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels, and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. McKinney's application for a real estate broker's license with the correction of Summary to note Gracious Living Realty as the firm instead of Century 21. The motion passed

**File Number 2010-
02016, Brenda
McKinney**

unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Taylor.

As the presiding Board member, Mr. Wells did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2010-01587, Louise Overman**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the Board member. Ms. Overman, the applicant, was present and addressed the Board. A motion was made by Ms. Clark, and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Overman's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2010-01587, Louise Overman

As the presiding Board member, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-02939, Laura Sampson**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Lawrence Marshall, attorney for the respondent, was present and addressed the Board. A motion was made by Mr. Wells and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 (Count 1) of Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2009-02939, Laura Sampson

A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.11 (Count 2) of Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

A motion was made by Ms. Daniels and seconded by Mr.

Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,650.00 for the violation contained in Count 1. In addition, for the violation of Count 1, Sampson's license will be placed on probation. While on probation, Sampson shall be required to attend and successfully complete four (4) classroom hours of Board approved continuing education pertaining to Real Estate Contracts. Such course(s) shall be completed in a classroom. Further, Sampson shall provide evidence acceptable to the Board that she has successfully completed the course(s) within three (3) months of the effective date of the Order. The above-referenced continuing education hours will not count towards any Board required education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells. A motion was made by Mr. Wells and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,650.00 for the violation contained in Count 2, for a total of \$3,300.00. In addition, for the violation of Count 2, revocation of license. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Gaeser, Taylor and Wells. Member voting "No" was Daniels.

As the presiding Board member, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2010-00416, Nora Kiger-MacKenzie**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Nora Kiger-MacKenzie, respondent, and Edward Whitlock, III, attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Childress and seconded by Ms. Clark to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead close the file with no violation of §54.1-2135.A.1 (Count 1) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

File Number 2010-00416, Nora Kiger-MacKenzie

A motion was made by Mr. Wells and seconded by Ms.

Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of §54.1-2135.A.2 (Count 2) of the *Code of Virginia*. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

A motion was made by Ms. Johnson and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$750.00 for the violation contained in Count 2, for a total of \$750.00. In addition, for the violation of Count 2, Kiger-MacKenzie’s license will be placed on probation until such time as she provides evidence acceptable to the Board that she has successfully completed four (4) classroom hours of Board approved continuing education pertaining to Property Management. Such course(s) shall be completed in a classroom. Kiger-MacKenzie must provide proof acceptable to the Board of the course completion within ninety (90) days of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any Board required education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

As the presiding Board member, Ms. Taylor did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-03797, Amy Dolan-Gianniny**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Amy Dolan-Gianniny, respondent, Lawrence Marshall, attorney for the respondent, Mary Jo Graber, complainant, Melanie Thompson, witness, Pat Jensen, witness, Cindy Stackhouse, witness, Bill Gearhart, witness, and Lois Key, witness, appeared and addressed the Board. A motion was made by Mr. Wells and seconded by Mr. Brown to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-180.A.1 (Count 1) of the Board’s 2008 Regulations. The motion passed unanimously. Members voting “Yes” were

File Number 2009-03797, Amy Dolan-Gianniny

Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

A motion was made by Mr. Wells and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

A motion was made by Ms. Daniels and seconded by Ms. Johnson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference to revoke Dolan-Gianniny's broker's license, with the simultaneous issuance of a salesperson's license. In addition, for the violation of Count 1, Dolan-Gianniny's salesperson license would remain on probation until such time as she provides evidence acceptable to the Board that she has successfully completed eight (8) classroom hours of Board approved continuing education pertaining to Broker Management. The motion failed. Members voting "Yes" were Daniels, Johnson and Clarke. Members voting "No" were Clark, Wells, Brown, Gaeser and Childress.

A motion was made by Ms. Daniels and seconded by Ms. Johnson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference, revoke Dolan-Gianniny's broker's license with the simultaneous issuance of a salesperson's license. In addition, for the violation of Count 2, Dolan-Gianniny's salesperson license would remain on probation until such time as she provides evidence acceptable to the Board that she has successfully completed eight (8) classroom hours of Board approved continuing education pertaining to Broker Management. The motion failed. Members voting "Yes" were Daniels, Johnson and Clarke. Members voting "No" were Clark, Wells, Brown, Gaeser and Childress.

A motion was made by Ms. Daniels and seconded by Ms. Johnson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference, and instead place Dolan-Gianniny's broker's license on probation until she makes full restitution to her clients that have agreed to her payment plan while submitting quarterly CPA

reconciliation reports, and an annual audit to the Board. In addition, for the violation of Count 1, Dolan-Gianniny's is subject to an agreement for licensure with quarterly reporting for a period of three years. The motion failed. Members voting "Yes" were Daniels, Johnson and Clarke. Members voting "No" were Clark, Wells, Brown, Gaeser and Childress.

A motion was made by Mr. Wells and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference for the violation of Count 1, with the following amendment: Dolan-Gianniny's license is subject to an agreement for licensure for a period of three years wherein Dolan-Gianniny and her broker would provide quarterly reports to the Board. The motion failed. Members voting "Yes" were Clark, Wells, Gaeser and Brown. Members voting "No" were Childress, Clarke, Johnson and Daniels.

A motion was made by Ms. Johnson and seconded by Mr. Wells to remand the case to staff to draft a Consent Order within 14 days to include the terms as follow for the violation of Count 1. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

A motion was made by Mr. Wells and seconded by Ms. Johnson for the same sanctions in Count 2 as in Count 1, and for Count 2 to run concurrent with the terms of Count 1. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

The terms of the Consent Order are as follows:

Revocation of license for the violation of Count 1 and Count 2. The revocation shall be Suspended during which time Dolan-Gianniny shall be required to submit the following:

- 1) a quarterly reconciliation completed by a CPA of the financial records and escrow accounts of her companies', AMG Properties, LLC, t/a Lexington Company Properties and The Lexington Company, LLC, t/a ERA Premier Partners, which shall be submitted to the Board each quarter beginning May 1, 2010;

- 2) an annual audit completed by a CPA of the financial records and escrow accounts of her companies', AMG Properties, LLC, t/a Lexington Company Properties and The Lexington Company, LLC, t/a ERA Premier Partners, which shall be submitted to the Board no later than January 31 of each year through 2014;
- 3) written evidence of continued restitution to all involved parties;
- 4) copies of all payment agreements of all involved parties.

In addition, Dolan-Gianniny shall appear before the Real Estate Board at its first meeting of 2014, in order for Dolan-Gianniny to provide evidence that she complied with all terms of the Order by December 31, 2013.

Also, Dolan-Gianniny shall submit a written quarterly report advising the Board of her status as a licensee until January, 2014, which states she has refrained from engaging in any criminal activity; she is in compliance with the rules and regulations of the Real Estate Board; she does not have any outstanding past due judgments related to real estate; and she is not in violation of any local, state or federal laws related to the practice of real estate. She shall appear before the Board twice per year, if requested by the Board, to further demonstrate her compliance with the Order.

Further, Dolan-Gianniny shall attend and successfully complete eight (8) classroom hours of continuing education pertaining to Broker Management and Supervision and eight (8) classroom hours pertaining to Escrow Management. The courses must be completed in the classroom. Dolan-Gianniny shall provide evidence acceptable to the Board that she has successfully completed the courses within six (6) months of the effective date of this Order.

Satisfactory completion of the above-referenced continuing education hours shall not count towards any continuing education requirements, if applicable, for renewal, reinstatement or activation of a license.

If Dolan-Gianniny complies with all terms of this Consent Order and the Board determines that full restitution has been made to all involved parties, then the suspended revocation

shall be removed and Dolan-Gianniny's license shall be restore to active status.

If Dolan-Gianniny fails to comply with any terms of this Order, or, if Dolan-Gianniny is found to have violated any provision of the Board's regulations and/or statutes, then her license shall be automatically revoked.

The Board recessed from 11:30 A.M. to 10:50 A.M.

Break

In the matter of **File Number 2010-01762, Sean Coughlin**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Coughlin, the applicant, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Coughlin's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01762, Sean Coughlin

In the matter of **File Number 2010-01657, Yvonne Jansen**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Jansen, applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Jansen's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01657, Yvonne Jansen

In the matter of **File Number 2010-01561, Phillip Graves**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Graves,

File Number 2010-01561, Phillip Graves

applicant, was present and addressed the Board. A motion was made by Mr. Wells and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Graves' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **File Number 2010-01558, Christopher Haynes**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Haynes, applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Haynes's application for a real estate salesperson's license, with the following amendment: Mr. Hayne's license is subject to an agreement for licensure for a period of two years wherein Mr. Haynes and his broker would provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01558, Christopher Haynes

In the matter of **File Number 2010-01442, Wyatt Thornhill**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Thornhill, applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Wells to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Thornhill's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01442, Wyatt Thornhill

In the matter of **File Number 2010-01441, Scott Shelton**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding

File Number 2010-01441, Scott Shelton

Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Shelton, applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Shelton's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **File Number 2010-01443, Cecelia Bell**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Bell, applicant, was present and addressed the Board. A motion was made by Mr. Wells and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Bell's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01443, Cecelia Bell

In the matter of **File Number 2010-01440, Tony A. Starks, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Starks, applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Mr. Wells to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Stark's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01440, Tony A. Starks, Jr.

In the matter of **File Number 2010-02021, Walter P. Gunning, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the

File Number 2010-02021, Walter P. Gunning, Jr.

Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Gunning, applicant was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Gunning's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **File Number 2010-02018, William S. Short, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Short, Jr., applicant was present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Childress to remand the case to another Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Taylor.

File Number 2010-02018, William S. Short, Jr.

As the presiding Board member, Mr. Wells did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2010-01805, Gary Lee Moore**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Moore, applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Moore's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

File Number 2010-01805, Gary Lee Moore

As the presiding Board member, Ms. Taylor did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2010-01557, Michael Atkinson**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Atkinson, the applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Atkinson's application for a real estate broker's and instead issue a real estate salesperson's license with the following amendment: Mr. Atkinson's license is subject to an agreement for licensure for a period of two years wherein Mr. Atkinson and his broker would provide quarterly reports to the Board. The Board determined Atkinson did not meet the requirements of being actively engaged in real estate activities for 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

File Number 2010-01557, Michael Atkinson

As the presiding Board member, Ms. Taylor did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-01776, Adam Hopkins**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Mr. Hopkins, respondent, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Mr. Wells to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2009, 01776, Adam Hopkins

A motion was made by Ms. Daniels and seconded by Mr. Gaeser to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, and to impose probation of license for the violation of Count 1, while completing forty-five (45) classroom hours of Board-approved education pertaining to Real Estate Brokerage within six (6) months of the effective date of the Order. The

motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

A motion was made by Ms. Daniels and seconded by Mr. Gaeser to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose a monetary penalty of \$1,000.00 for the violation contained in Count 1, for a total of \$1,000.00. In addition, the Board imposes probation of license until such time as Hopkins provides evidence acceptable to the Board that he has attended and successfully completed continuing education which is to include: eight (8) hours pertaining to Broker Management; and eight (8) hours pertaining to Escrow. The course(s) must be completed in the classroom. Further, Hopkins shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced education hours will not count towards any Board required education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

As the presiding Board member, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2010-01562, Lawrence L. Johnson, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Wells and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Johnson’s application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-01562, Lawrence L. Johnson, Jr.

In the matter of **File Number 2010-01559, Demetria Zwierzynski**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the

File Number 2010-01559, Demetria Zwierzynski

Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Clark and seconded by Mr. Wells to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Zwierzynski's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **File Number 2010-01120, Jennifer Mahan**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Clark and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Mahan's application for a real estate salesperson's license, with the following amendment: Ms. Mahan's license is subject to an agreement for licensure for a period of no less than two years wherein Ms. Mahan and her broker would provide quarterly reports to the Board until Ms. Mahan is released from probation. The motion passed by majority vote. Members voting "Yes" were Brown, Clark, Clarke, Gaeser and Daniels. Members voting "No" were Childress, Johnson, Taylor and Wells.

File Number 2010-01120, Jennifer Mahan

In the matter of **File Number 2010-00429, Becky McIntyre**, the Board reviewed the facts and information presented in the investigative file. After discussion, the Board is of the opinion that Ms. McIntyre may be acting as a real estate salesperson/broker when she is not licensed by the Board. A motion was made by Ms. Johnson and seconded by Mr. Gaeser to issue a Cease and Desist Order to Ms. McIntyre to stop acting as an unlicensed real estate broker or salesperson. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Gaeser, Taylor and Wells.

File Number 2010-00429, Becky McIntyre

In the matter of **File Number 2010-01117, James Peacock**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion

File Number 2010-01117, James Peacock

was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Peacock's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **File Number 2010-01473, Richard Panizza**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the Board member. A motion was made by Mr. Wells, and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Panizza's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2010-01473, Richard Panizza

As the presiding Board member, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-04567, Cynthia Corrine Houser**, the Board reviewed the Consent Order as seen and agreed to by Ms. Houser. A motion was made by Ms. Daniels and seconded by Mr. Wells to accept the proposed Consent Order offer wherein Ms. Houser admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$650.00. In addition, Houser agrees to complete at least three (3) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2009-04567, Cynthia Corrine Houser

As the Board member who reviewed the file, Ms. Johnson did

not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-04503, Charlene D. Sensabaugh**, the Board reviewed the Consent Order as seen and agreed to by Ms. Sensabaugh. A motion was made by Mr. Wells and seconded by Mr. Gaeser to accept the proposed Consent Order offer wherein Ms. Sensabaugh admits to a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations, and agrees to no monetary penalty for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$150.00. In addition, for the violation of Count 1, Sensabaugh agrees to revocation of her license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2009-04503, Charlene D. Sensabaugh

As the Board member who reviewed the file, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-04458, Patricia B. Amos**, the Board reviewed the Consent Order as seen and agreed to by Ms. Amos. A motion was made by Mr. Gaeser and seconded by Ms. Daniels to accept the proposed Consent Order offer wherein Ms. Amos admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, and agrees to no monetary penalty for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$150.00. In addition, for violation of Count 1, Amos agrees to revocation of her broker's license number 0225190030, with the simultaneous issuance of a salesperson's license, effective on the date of the execution of the Order. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2009-04458, Patricia B. Amos

As the Board member who reviewed the file, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-04151, John Arthur Sears**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal

File Number 2009-04151, John Arthur Sears

Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Daniels and seconded by Mr. Brown to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find *three violations* of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260-10 (Count 2) of the Board's 2003 Regulations, and *three violations* of 18 VAC 135-20-185.C.3 (Count 3) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

A motion was made by Ms. Daniels and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose revocation of license for the violations of Count 1 (three violations), Count 2 and Count 3 (two violations). The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

As the presiding Board member, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-04165, James Robert Bailey, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bailey. A motion was made by Ms. Clark and seconded by Mr. Gaeser to accept the proposed Consent Order offer wherein Mr. Bailey admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-180.B.1.a (Count 2) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, \$450.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$1,350.00. The above-referenced monetary penalties are to be paid within six (6) months of the effective date of the Order. In addition, for violation of Count 1, Bailey agrees to complete at least three (3) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. Further, for violation of Count 2, Bailey

File Number 2009-04165, James Robert Bailey, Jr.

agrees to complete at least three (3) classroom hours of Board-approved education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

As the Board member who reviewed the file, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-04350, Raja Gohar Ihsan**, the Board reviewed the Consent Order as seen and agreed to by Mr. Ihsan. A motion was made by Mr. Wells and seconded by Ms. Clark to accept the proposed Consent Order offer wherein Mr. Ihsan admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.10 (Count 2) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$1,500.00 for the violation contained in Count 1, \$1,650.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$3,300.00. In addition, for violation of Count 1, Ihsan agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Real Estate Contracts and at least two (2) classroom hours of Board-approved education pertaining to Escrow Management. Ihsan shall provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The courses must be completed in the classroom. Further, for violation of Count 2, Ihsan agrees to complete at least eight (8) classroom hours of Board-approved education pertaining to Broker Management. Ihsan shall provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Taylor and Wells.

File Number 2009-04350, Raja Gohar Ihsan

As the Board member who reviewed the file, Ms. Johnson did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2009-01110, Carl A. Wiberg, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Wiberg. A motion was made by Ms. Johnson and seconded by Mr. Gaeser to accept the proposed Consent Order offer wherein Mr. Wiberg admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2003 Regulations, and agrees to no monetary penalty for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$150.00. In addition, for violation of Count 1, Wiberg agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

File Number 2009-01110, Carl A. Wiberg

As the Board member who reviewed the file, Ms. Taylor did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2010-00176, Christopher Wei-Cheng Chow, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Chow. A motion was made by Ms. Johnson and seconded by Mr. Gaeser to accept the proposed Consent Order offer wherein Mr. Chow admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$250.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$400.00. In addition, for violation of Count 1, Chow agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal

File Number 2010-00176, Christopher Wei-Cheng Chow, Sr.

of license. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson and Wells.

As the Board member who reviewed the file, Ms. Taylor did not participate in the discussion or vote pertaining to this matter.

Ms. Clarke turned the position of Chair over to Ms. Taylor and recused herself from the meeting.

Transfer of Chair

In the matter of **File Number 2010-00078, Eugene J. Fisher, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Fisher. A motion was made by Ms. Johnson and seconded by Ms. Clark to accept the proposed Consent Order offer wherein Mr. Fisher admits to a violation of 18 VAC 135-20-210.B (Count 1) of the Board’s 2003 Regulations, and agrees to a monetary penalty of \$400.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$550.00. In addition, for violation of Count 1, Fisher agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting “Yes” were Brown, Childress, Clark, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-00078, Eugene J. Fisher, Sr.

As the Board member who reviewed the file, Ms. Clarke did not participate in the discussion or vote pertaining to this matter.

Ms. Clarke returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2010-00954, Mary Joan Lewis**, the Board reviewed the Consent Order as seen and agreed to by Ms. Lewis. A motion was made by Mr. Wells and seconded by Ms. Clark to accept the proposed Consent Order offer wherein Ms. Lewis admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a

File Number 2010-00954, Mary Joan Lewis

total of \$650.00. In addition, for violation of Count 1, Fisher agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

In the matter of **File Number 2010-00932, John Chung-Kang Hwang**, the Board reviewed the Consent Order as seen and agreed to by Mr. Hwang. A motion was made by Ms. Johnson and seconded by Mr. Gaeser to accept the proposed Consent Order offer wherein Mr. Hwang admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for violation of Count 1, Hwang agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

File Number 2010-00932, John Chung-Kang Hwang

In the matter of **File Number 2009-04574, William Thomas Miller**, the Board reviewed the Consent Order as seen and agreed to by Mr. Miller. A motion was made by Ms. Daniels and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Mr. Miller admits to a violation of §54.1-2138.1.A (Count 1) of the *Code of Virginia*, a violation of §54.1-2139.1.A (Count 2) of the *Code of Virginia* and agrees to a monetary penalty of \$400.00 for the violation contained in Count 1, \$400.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$950.00. In

File Number 2009-04574, William Thomas Miller

addition, Miller agrees to complete at least four (4) classroom hours of Board-approved education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

The Board recessed from 12:45 P.M. to 1:20 P.M.

Break

The Board reviewed the Education Committee Report. A motion was made by Ms. Childress and seconded by Mr. Gaeser to accept the January 27, 2010, Education Committee Report and the recommendations contained within the report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

Education Committee Report

The Real Estate Board Regulatory Review Committee meeting will be held on March 17, 2010 at 10:00 a.m. No action was taken by the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

Old Business

The Board reviewed Bills introduced to the General Assembly related to the Real Estate Board. A motion was made by Ms. Johnson and seconded by Ms. Clark to oppose House Bill 625. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

New Business

A motion was made by Ms. Johnson and seconded by Mr. Gaeser to oppose House Bill 963 and Senate Bill 457. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Johnson, Taylor and Wells.

There being no further business, the Board adjourned at 2:19 P.M.

Adjourn

Carol F. Clarke, Chair

Jay DeBoer, Secretary

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